

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

United States of America,)	CRIMINAL NO. 0:07-43-CMC
)	
v.)	OPINION and ORDER
)	
Kelly Nicole Elkins,)	
)	
Defendant.)	
_____)	

This matter is before the court on Defendant's motion for relief filed in this court pursuant to 28 U.S.C. § 2255. The Government filed a motion for summary judgment. Pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the court advised Defendant of the summary judgment procedure and the consequences if she failed to respond. Defendant was granted additional time to respond to the Government's motion. However, no response has been filed with this court and the time for doing so has expired.

The court has reviewed the complete record in this case. For the reasons stated in the Government's response, which this court finds to be correct and adopts as its findings, the court grants the Government's motion for summary judgment as to all of Defendant's claims for relief.

IT IS THEREFORE ORDERED that the Government's Motion for Summary Judgment is **GRANTED**. The motion under 28 U.S.C. § 2255 is *dismissed with prejudice*.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
December 23, 2008